

**Act No. 89 (H.249). Municipal government; regional planning commissions;
intermunicipal services**

An act relating to intermunicipal services

This act grants authority to a regional planning commission (RPC) to enter into service agreements with municipalities regarding intermunicipal services.

Prior to exercising this authority, an RPC shall draft bylaws that specify the process for entering into, method of withdrawal from, and method of terminating a service agreement. Additionally, the RPC shall hold at least one public hearing regarding the draft bylaws. The RPC shall adopt the bylaws by a 67 percent vote of the RPC. Unless a majority of the municipalities in the region veto the bylaws, the bylaws shall become effective 35 days after a vote of the RPC.

In exercising the authority under this section, an RPC shall enter into a service agreement with one or more municipalities. The service agreement shall describe the services to be provided and the amount of funds payable by each municipality that is a party to the service agreement. Participation by a municipality is voluntary and a service agreement shall be ratified by the RPC and the legislative body of each municipality that is a party to the service agreement. Under this section, an RPC does not have the power of eminent domain, taxing authority, or legislative functions.

Finally, funds provided to an RPC may not be used to provide services under a service agreement without prior written authorization. Funds provided by a municipality for regional planning services shall not be used by an RPC to cover the costs of providing services under a service agreement.

Effective Date: July 1, 2016